

This request for an extension is not sought for purposes of delay, but that justice might be done. Accordingly, Defendants requests that the Court extend the date on which Defendants' Opposition will be due to June 6, 2007.

June 4, 2007

Respectfully submitted,

By : /s/ R. Floyd Walker

William G. Schuurman (TX State Bar No. 17855200)

bschuurman@velaw.com

Brian K. Buss (TX State Bar No. 00798089)

bbuss@velaw.com

Joseph D. Gray (TX State Bar No. 24045970)

jgray@velaw.com

R. Floyd Walker (TX State Bar No. 24044751)

fwalker@velaw.com

Graham E. Sutliff (TX State Bar No. 24046935)

gsutliff@velaw.com

VINSON & ELKINS L.L.P.

2801 Via Fortuna, Suite 100

Austin, Texas 78746

Telephone: 512.542.8400

Facsimile: 512.236.3476

Hilary L. Preston

hpreston@velaw.com

VINSON & ELKINS L.L.P.

666 Fifth Avenue – 26th Floor

New York, NY 10103

Telephone: 212.237.0000

Facsimile: 212.237.0100

Douglas R. McSwane, Jr. (TX State Bar No. 13861300)

J. Matt Rowan (TX State Bar No. 24033137)

POTTER MINTON

A Professional Corporation

110 N. College

500 Plaza Tower

Tyler, Texas 75702

Telephone: 903.597.8311

Facsimile: 903.593.0846

E-mail: dougmcswane@potterminton.com

*Counsel for Defendants First Funds LLC, Merchant
Money Tree, Inc., and Reach Financial, LLC*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that all counsel of record who have consented to electronic service are being served a copy of this document via the court's CM/ECF system per Local Rule CV-5(a)(3) on this the 4th day of June, 2007. Any other counsel of record will be served by first class mail on this same date.

/s/ R. Floyd Walker

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